UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,394	10/23/2001	James Tremlett	00-8022	5343

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EXAMINER
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ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/003,394	TREMLETT ET AL.
	Examiner	**Art Unit**
	El Hadji M Sall	2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondenc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 October 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disp sition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

1.   **DETAILED ACTION**

This action is responsive to the application filed on October 23, 2001. Claims 1-
23 are pending. Claims 1-23 represent application server domain.

2.   *Claim Rejections - 35 USC § 102*

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent
by another filed in the United States before the invention thereof by the applicant
for patent, or on an international application by another who has fulfilled the
requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before
the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act
of 1999 (AIPA) and the Intellectual Property and High Technology Technical
Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting
directly or indirectly from an international application filed before November 29, 2000.
Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior
to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-23 are rejected under 35 U.S.C. 102(e) as being unpatentable over Rao
U.S. 6,789,118.

Rao teaches the invention as claimed including multi-service network switch with
policy based routing.

As to claim 1, Rao teaches a method of handling a call at an application server offering one or more services, the method comprising:

receiving information corresponding to said call at the application server, the information including data identifying a subscriber of said one or more of services offered by the application server (abstract, Rao discloses...The switch also provides tiered access of the Internet by defining quality of access levels to each incoming connection request...; column 8, lines 41-46, Rao discloses when the connection manager 46 detects an incoming call, a resource request is broadcast over the cell bus 20. The resource manager 38 in each card receives the request and determines what resources are needed. If the card has the requested resource, it is allocated to the incoming call);

based on the information corresponding to the call, selecting a domain policy, the domain policy applying to a set of subscribers (abstract, Rao discloses...The switch supports policy based routing where specific routing paths are selected based on a domain name, a telephone number, and the like...); and

handling the call in accordance with the selected domain policy (column 2, lines 22-28, Rao discloses...the identified characteristic may be uses to retrieve a call policy database including call profile information that specifies how the call should be handled).

As to claim 2, Rao teaches the method of claim 1, wherein receiving information corresponding to a call comprises receiving information from a softswitch (column 3, lines 52-60, Rao discloses...each FM 10 preferably includes the on-board intelligence, route forwarding, and route processing information for distributed packet forwarding, as is described in further detail below).

As to claim 3, Douglas teaches the method of claim 1, wherein the information including data identifying a subscriber comprises at least one of the following: an origination phone number and a termination phone number (abstract, Rao

discloses...he switch supports policy based routing where specific routing paths are selected based on a domain name, a telephone number).

As to claim 4, Rao teaches the method of claim 1, wherein the domain policy comprises a policy encoded in a programming language including conditional expressions (column 15, lines 44-45, Rao discloses In step 326, the program routes the call to the appropriate router based on the policy parameters).

As to claim 5, Rao teaches the method of claim 1, further comprising constructing a call model for the call (figure 3).

As to claim 6, Rao teaches the method of claim 1, further comprising:
determining a service domain having a call service (column 14, lines 65-67, Rao discloses each call policy record 290 includes a call type 294 identifying a type of call received, and a service type 296 identifying a type of service being requested by the call); and
applying the domain policy of the determined service domain to the call (column 2, lines 16-18, Rao discloses The switch allows the selection of a routing path for a particular connection based on call policies associated with the call).

As to claim 7, Rao teaches the method of claim 1, wherein handling the call in accordance with the selected domain policy comprises authorizing the call (column 9, lines 22-24, Rao discloses the incoming call's virtual router ID and virtual private network ID allow the switch to provide access to resources that the user authorized for).

As to claim 8, Rao teaches a method of providing call services at an application server, the method comprising:
defining a set of at least two domains, at least some of the domains having a domain policy (abstract, Rao discloses...The switch supports policy based routing

where specific routing paths are selected based on a domain name, a telephone
number, and the like...);

receiving information corresponding to a call (abstract, Rao discloses...The
switch also provides tiered access of the Internet by defining quality of access levels to
each incoming connection request...; column 8, lines 41-46, Rao discloses when the
connection manager 46 detects an incoming call, a resource request is broadcast over
the cell bus 20. The resource manager 38 in each card receives the request and
determines what resources are needed. If the card has the requested resource, it is
allocated to the incoming call);

determining one or more domains that apply to the call (column 9, lines 4-15,
Rao discloses...QoA is a method of classifying users and granting access to the switch
based on a comparison of their QoA level to the current resource utilization...); and

applying policies associated with the determined domains to the call (column 2,
lines 16-18, Rao discloses the switch allows the selection of a routing path for a
particular connection based on call policies associated with the call).

As to claim 9, Rao teaches the method of claim 8, wherein the domains comprise
more than one subscriber domains (column 9, lines 16-18, Rao discloses QoS is a
method of classifying users to determine the priority with which packets are conveyed
once a call has been accepted).

As to claim 10, Rao teaches the method of claim 8, wherein the domains
comprise more than one service domains (column 9, lines 18-19, Rao discloses QoS
offers preferential treatment by processing connections based on their QoS levels).

As to claim 11, Rao teaches the method of claim 8, wherein the domains
comprise more than one device domain (column 3, lines 53-61, Rao discloses...Each
FM 10 preferably includes the on-board intelligence, route forwarding, and route
processing information for distributed packet forwarding...).

As to claim 12, Rao teaches the method of claim 8, wherein the domains comprise more than one subscriber domain and more than one service domain (column 9, lines 16-21, Rao discloses QoS is a method of classifying users to determine the priority with which packets are conveyed once a call has been accepted. QoS offers preferential treatment by processing connections based on their QoS levels...).

As to claim 13, Rao teaches the method of claim 8, wherein the policies comprise policies encoded in a computer programming language including conditional expressions (column 15, lines 44-45, Rao discloses In step 326, the program routes the call to the appropriate router based on the policy parameters).

As to claim 14, Rao teaches an application server, comprising:
one or more aggregation domains, at least some of the domains having an associated authorization policy (column 9, lines 22-24, Rao discloses the incoming call's virtual router ID and virtual private network ID allow the switch to provide access to resources that the user authorized for); and
a domain mapper that identifies one or more domains based on call information (column 28, lines 27-33, Rao discloses... The backplane driver maps port addresses in the incoming packets to local port addresses).

As to claim 15, Rao teaches the application server of claim 14, wherein the domains comprise subscriber domains (column 9, lines 16-18, Rao discloses QoS is a method of classifying users to determine the priority with which packets are conveyed once a call has been accepted).

As to claim 16, Rao teaches the application server of claim 15, wherein the domains comprise service domains (column 9, lines 18-19, Rao discloses QoS offers preferential treatment by processing connections based on their QoS levels).

As to claim 17, Rao teaches the application server of claim 15, further comprising a service provider interface for handling call information received from a transport device (column 1, lines 41-50, Rao discloses....a service provider's POP may attach to the core network and to other devices in the POP using, for example, ATM, frame relay, or Ethernet; column 4, lines 47-50, Rao discloses The link layer on the serial data interface PM 12d is preferably frame relay, and it typically connects to local routers or external equipment for connections to ISPs or service providers)

As to claim 18, Rao teaches the application server of claim 17, wherein the transport device comprises a softswitch (column 3, lines 52-60, Rao discloses...each FM 10 preferably includes the on-board intelligence, route forwarding, and route processing information for distributed packet forwarding, as is described in further detail below).

As to claim 19, Rao teaches a computer program product, disposed on a computer readable medium, for providing call services at an application server, the computer program including instructions for causing a processor to:
define a set of more than one domain, at least some of the domains having a domain policy (abstract, Rao discloses...The switch supports policy based routing where specific routing paths are selected based on a domain name, a telephone number, and the like...);
receive information corresponding to a call (abstract, Rao discloses...The switch also provides tiered access of the Internet by defining quality of access levels to each incoming connection request...; column 8, lines 41-46, Rao discloses when the connection manager 46 detects an incoming call, a resource request is broadcast over the cell bus 20. The resource manager 38 in each card receives the request and determines what resources are needed. If the card has the requested resource, it is allocated to the incoming call);

determine one or more domains that apply to the call (column 9, lines 4-15, Rao discloses...QoA is a method of classifying users and granting access to the switch based on a comparison of their QoA level to the current resource utilization...); and

apply policies associated with the determined domains to the call (column 2, lines 16-18, Rao discloses the switch allows the selection of a routing path for a particular connection based on call policies associated with the call).

As to claim 20, Rao teaches the computer program of claim 19, wherein the domains comprise more than one subscriber domain (column 9, lines 16-18, Rao discloses QoS is a method of classifying users to determine the priority with which packets are conveyed once a call has been accepted).

As to claim 21, Rao teaches the computer program of claim 19, wherein the domains comprise more than one service domains (column 9, lines 18-19, Rao discloses QoS offers preferential treatment by processing connections based on their QoS levels).

As to claim 22, Rao teaches the computer program of claim 19, wherein the domains comprise more than one subscriber domain and more than one service domain (column 9, lines 16-21, Rao discloses QoS is a method of classifying users to determine the priority with which packets are conveyed once a call has been accepted. QoS offers preferential treatment by processing connections based on their QoS levels...).

As to claim 23, Rao teaches the method of claim 19, wherein the policies comprise policies encoded in a computer programming language including conditional expressions (column 15, lines 44-45, Rao discloses In step 326, the program routes the call to the appropriate router based on the policy parameters).

4.   *Conclusion*

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to El Hadji M Sall whose telephone number is 571-272-

4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-4010.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
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